



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CRIMINAL CASE NO. E013 OF 2020

REPUBLIC.....PROSECUTOR

V/S

EDISON NYALE TINGA.....ACCUSED

RULING

1. The accused Edison Nyale Tinga is charged with the offence of murder contrary to Section 203 as read with Section 204 of the penal code.
2. Particulars of the offence are that Edison Nyale Tinga on the 22nd day of September 2020 at Mwarakaya Location in Chonyi Sub-county of Kilifi County jointly with others not before court murdered Hannington Tinga Nzombo.
3. Prosecution availed 7 witnesses who gave account of events that proceeded the murder herein which the accused was directly involved in and the deceased made reports to Chonyi as well as Kijipwa Police Station about the allegations by his sons that he was a witch and threats to his life.
4. The circumstances surrounding the death of the deceased (happenings) and incidences/prior to his death makes this court find that a prima facie case has been made against the accused person sufficient to place him on his defence. He has a case to answer.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 31ST DAY OF MARCH 2022

HON. LADY JUSTICE A. ONG'INJO

JUDGE

In the presence of: -

Ogwel- Court Assistant

Mr. Nguri for State

Mr. Mwaboza Advocate for accused

Accused – present in person

Hon. Lady Justice A. Ong’ingo

Judge

Mr. Mwaboza Advocate

The accused will give sworn testimony and we will call the accused persons wife as a witness.

Order

Defence hearing – 27/05/2022.

Hon. Lady Justice A. Ong’ingo

Judge



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